IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL (LOD) NO.872 OF 2002

The Commissioner of Income Tax ..Appellant.

V/s.

Shri Nandkumar P.Kalani ..Respondent.

Mr.Pankaj Kapoor for appellant.

Mr.A.K.Singh i/b. K.Gopal & P.K.Parida for respondent.

CORAM : V.C. DAGA AND J.P.DEVADHAR, JJ.

DATED : 30TH AUGUST, 2005.

P.C. :-

. On the Motion made by the learned counsel for the appellant, he is allowed to withdraw the appeal. The same is dismissed as withdrawn with no order as to costs. The Court fees be refunded as per rules.

(V.C. DAGA, J.)

(J.P.DEVADHAR, J.)